

ASSEMBLY BILL

No. 970

Introduced by Assembly Member Yee

February 18, 2005

An act to amend Section 17317 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 970, as introduced, Yee. School facilities: seismic safety.

Existing law requires the Department of General Services to conduct an inventory of public school buildings that are concrete tilt-up school buildings and school buildings with nonwood frame walls that do not meet the minimum requirements of the 1976 Uniform Building Code.

This bill would require the Department of General Services to, upon the request of a school district or community college district, provide written copies of a report or data therein pertaining to a specific school building to that district. The bill would immunize a district from liability for a lawsuit based on the receipt of that information that alleges the district had actual knowledge of seismic safety deficiencies in a school building and failed to take actions to remedy those deficiencies for a period of 4 years from the receipt of that information.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17317 of the Education Code is
2 amended to read:

1 17317. (a) The Department of General Services shall, in
2 consultation with the Seismic Safety Commission, conduct an
3 inventory of public school buildings that are concrete tilt-up
4 school buildings and school buildings with nonwood frame walls
5 that do not meet the minimum requirements of the 1976 Uniform
6 Building Code. Priority shall be given to the school buildings
7 identified in the act that added this section that are in the highest
8 seismic risk zones in accordance with the seismic hazard maps of
9 the Division of Mines and Geology of the Department of
10 Conservation.

11 (b) The Department of General Services shall submit a report
12 by December 31, 2001, to the Legislature and the Governor that
13 summarizes the findings of the seismic safety inventory and
14 makes recommendations about future actions that should be
15 taken to address the problems found by the seismic safety
16 inventory. The report shall not identify individual schoolsites on
17 which inventoried school buildings are located.

18 (c) (1) *The Department of General Services shall, upon the*
19 *request of a school district or community college district, provide*
20 *written copies of a report completed pursuant to this section, or*
21 *data upon which the report is based, which report or data*
22 *pertains to a specific school building, to that district.*

23 (2) *Upon the receipt of information pursuant to paragraph (1),*
24 *a school district or community college district is immune from*
25 *liability based on the receipt of that information, for a period of*
26 *four years, from any lawsuit that alleges that the district had*
27 *actual knowledge of seismic safety deficiencies in a school*
28 *building and failed to take actions to remedy those deficiencies.*